

REMARKS

In the Office Action dated May 5, 2006, claims 1–33 stand rejected under 35 U.S.C. 102(e) as being anticipated by 6,233,075 ("Chang"). Applicant traverses the rejections, amends claim 33, and requests reconsideration of the claims in light of the following.

Applicant wishes to thank Examiner Jackson for her time and consideration during the telephonic interview the undersigned conducted with Examiner Jackson on August 3, 2006. During the interview, the undersigned pointed out that Chang failed to describe a systems or methods in which setup messages are used to configure a path for the transmission of light pulses having randomly selected quantum bases or other quantum cryptographic communications, as recited in the claims. Instead, Change teaches away from the use of quantum cryptography altogether (column 3, lines 36—62).

In light of the remarks made during the telephonic interview, Examiner Jackson agreed to withdraw the § 102 rejection of the claims over Chang. Examiner Jackson also requested clarifying amendments be made to independent claim 33. Therefore, Applicant hereby amends claim 33 to address the matters of form pointed out by Examiner Jackson.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Application No. 09/944328
Amendment dated August 7, 2006
Reply to Office Action of May 5, 2006

Docket No.: BBNT-P01-134

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. BBNT-P01-134 from which the undersigned is authorized to draw.

Dated: August 7, 2006

Respectfully submitted,

By 

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